IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 16175 of 2005

Between:

Jammula mary Soundarya lakshmi , W/o.Babu Rao,
Peddavaram Village, Tallapudi Mandal, W.G.District.

..... PETITIONER

AND

1.The Mandal Revenue Officer, Tallapudi Mandal, W.G.district.

2.The Revenue Division Officer, Kovvur Division, W.G.District.

.....RESPONDENTS

Counsel for the Petitioner: MR.RAMA RAO GHANTA
Counsel for the Respondents: GP FOR REVENUE

The Court made the following:

ORAL ORDER:

Assailing the proceedings of the first respondent dated 25.5.2005 resuming the land, the petitioner preferred an appeal before the second respondent.

The facts reveal that the mother of the petitioner was assigned to an extent of Ac.2.17 cents of government land in Peddavam village of West Godavari District. However, subsequent to the death of her

mother, the said land devolved upon the petitioner and she came in possession of the same. While so, the respondents issued a notice dated 24.2.2005 to her stating that she has violated the terms and conditions of the D- Form patta to which she submitted an explanation dated 19-3-2005. Later the first respondent issued proceedings dated 25.5.2005 resuming the land under Section 4 of the A.P. Assigned Lands (Prohibition of Transfer) Act, 1977 stating that she is having Ac.3.00 of land in Peddavam village and she encroached Ac.2.74 cents of land in Sy. No. 175/4 and 175/5 in Tirugudametta (V) Talapudi Mandal. As against the said proceedings of resumption, the petitioner preferred an appeal before the second respondent, and along with the said appeal, she filed an application seeking interim stay of the proceedings of the first respondent. It is her grievance that no order has been passed on the said application and on the other hand it is her apprehension that the first respondent would dispossess her from the schedule land. Hence the present writ petition.

Heard the learned counsel for the petitioner. Perused the material placed before me.

Considering the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition with a direction to the second respondent to consider the case of the petitioner and pass appropriate orders on the interim application filed by the petitioner and if possible to dispose of the appeal itself, within a period of eight weeks from the date of receipt of a copy of this order, after affording a reasonable opportunity to the petitioner. However, till such time, the petitioner shall not be dispossessed from the schedule property.

With the above directions, the writ petition is disposed of at the stage of admission. No costs.

(ELIPE DHARMA RAO, J)

Date: 25.07.2005

Ksn